

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

CARLOS RUIZ FLOREZ,
Plaintiff,
vs.

L & C BRAND REALTY INC. and SOKO-LYA CAFÉ INC.,
Defendants.

Civil Action No. 24-cv-0543 (NCM/RML)

**AFFIDAVIT IN SUPPORT OF REQUEST
FOR ENTRY OF CLERK'S CERTIFICATE
OF DEFAULT**

I, JENNIFER E. TUCEK, ESQ., hereby affirm under penalty of perjury as follows:

1. I represent, Calros Ruiz Florez ("Plaintiff") in the above captioned matter.
2. The within action was commenced for injunctive relief pursuant to the Americans with Disabilities Act 42 U.S.C., Section 12181 et. seq. (ADA) and 28 CFR Part 36 (ADAAG).
3. Plaintiff is a resident of the State of New York. Plaintiff suffered a spinal cord injury as a child complete from the T-7 to T-11, has paraplegia, and is bound to ambulate in a wheelchair.
4. The within action was commenced on January 25, 2024 with the filing of the Summons and Complaint. 01/25/24 (DE. 1).
5. Defendant L & C Brand Realty, Inc. was served with the Summons and Complaint via the Secretary of State. Its time to Answer or otherwise respond to the Complaint expired on February 2, 2024. The Affidavit of Service was filed on March 21, 2024 (DE 6). To date no Answer has been interposed on behalf of Defendant L & C Brand Realty, Inc. Defendant L & C Brand Realty, Inc. is a corporate entity and is not an individual in the military or incompetent.
6. Defendant Soko-Lya Café Inc. was served with the Summons and Complaint via the Secretary of State. Its time to Answer or otherwise respond to the Complaint expired on February

2, 2024. The Affidavit of Service was filed on March 21, 2024 (DE 5). To date no Answer has been interposed on behalf of Defendant Soko-Lya Café Inc. Defendant Soko-Lya Café Inc. is a corporate entity and is not an individual in the military or incompetent.

7. On April 1, 2024, the Court entered an Order granting Plaintiff's motion for two (2) week extension of time to file a Certificate of Default (DE 7) in order to attempt resolution of this matter with Defendants, to no avail.

8. It is apparent that the Defendants have no intention of voluntarily submitting to the jurisdiction of the Court.

WHEREFORE, Plaintiff requests that the Clerk of the Court enter a Notice of Default with respect to ALL DEFENDANTS in the within matter.

Dated: April 16, 2024

/s/ Jennifer E. Tucek, Esq.
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